

Summary Sheet

Meeting dates: January 25, 2019

Agenda item: Petitions – Humptulips River Steelhead Sport Fishing Regulation Change

Presenter(s): Annette Hoffmann, Region 6 Fish Program Manager
Mike Scharpf, District Biologist

Background summary: The Fish and Wildlife Commission (Commission) has received a petition requesting amendments to sport fishing rules for steelhead on a section of the Humptulips River. The Petition requests the Washington Department of Fish and Wildlife (Department):

“Change Humptulips River Fishing regulations above 101 bridge back to no bait restrictions from March 1-March 31 or end of season each year as it was prior to general rule change and simplification process.”

The Petition states this change is needed because:

“Protection of wild steelhead stocks during spawning times. This is a shared perspective of the steelheading community, a very diverse group of anglers, who are sometimes are at odds, to take a more conservative approach to protect Humptulips Wild Steelhead.”

The Petitioners also provided a letter to the Commission dated December 10, 2018 regarding this petition (attached).

In 2015, the Department initiated an effort to increase public support for conservation, participation in outdoor recreation, and ensure Department programs and services meet the needs of the public. The Department hosted 10 “listening forums” around the state to record public comments on where the Department should focus its efforts. The public provided approximately 2,500 comments covering an array of topics. One of the most common comments received was criticism about the complexity of our fishing rules and requests to simplify them. Based on this public comment, the department initiated a process to simplify sport fishing rules in 2016. This 3-year process began with addressing rules for game fish last year, salmon this year, and marine fish and shellfish next year.

Objectives of the sport rules simplification process are to reduce the number and complexity of sport fishing rules while maintaining rules that address critical conservation needs and where possible maintain or increase fishing opportunity.

The Department completed the first year of sport rules simplification for game fish fisheries on January 19, 2018 with an effective date starting July 1, 2018. During this effort staff proposed to align game fish regulations upstream of the Hwy 101 Bridge with those downstream, by removing the requirement for the use of selective gear rules (single point barbless hooks and no bait allowed) in the Humptulips River from the Highway 101 Bridge to the confluence of the East and West Forks and on the West Fork from the mouth to Donkey Creek (River Section) during March 1 to March 31 (Figure 1).

The Humptulips is home to a wild winter steelhead population with an escapement goal of 1,600 spawners (Figure 2). The wild winter steelhead escapement goal has been met in most years (71%) since 1981. With this level of performance, the population appears to be stable

around and often above the escapement goal.

The Humptulips Hatchery, located on Stevens Creek approximately 400 feet upstream from the confluence with the Humptulips River, rears and releases about 30K summer and 130K early winter steelhead annually. These hatchery fish provide an important recreational fishing opportunity on the Humptulips.

Prior to 2008, the regulations for this River Section allowed the use of bait during the season (first Saturday in June through the end of February). In 2008, the department extended the fishing season through the month of March and required selective gear rule during the month of March in the River Section. This change provided additional fishing opportunity for anglers and allowed for the removal of additional hatchery steelhead.

In response to overwhelming requests from the public to simplify sport fishing rules, the Commission adopted regulations that eliminated as many special rules as possible. In this rule simplification effort, the Commission adopted rules for the River Section removing the selective gear requirements, and extending the use of bait and barbed hooks through the month of March. During the review of the sportfishing regulations, the Department determined that the Humptulips wild winter steelhead population was healthy, could support this regulation change and that it was consistent with meeting the conservation objectives for the population.

Staff recommendation:

Deny the petition based on the lack of a conservation need as described in the petition. There is insufficient time under RCW 34.05.320 to promulgate a permanent rule before the March 1-31 2019 season.

The Commission could direct the Department to include the petitioner's recommendation in the upcoming North of Falcon public process to be considered for social needs. The outcome of this rule making would be implemented in March 1, 2020.

Policy issue(s) and expected outcome:

Pursuant to RCW 34.05.330 Should the Commission:

- a) Deny the petition in writing, stating the reasons for the denial, specifically addressing the concerns raised by the petitioner, and where appropriate, the alternative means by which it will address the concerns raised by the petitioner;

or-

- b) Initiate rule-making proceedings?

Fiscal impacts of agency implementation:

None

Public involvement process used and what you learned:

No public process has been conducted on this petition.

Action requested and/or proposed next steps:

Delegate the decision to the Director and use the upcoming North of Falcon public process to

consider implementing selective gear rules in the Humptulips from the Hwy 101 to confluence with the West and East Forks, and the mouth of the West Fork to Donkey Creek during the period of March 1 to March 31 beginning in 2020.

Draft motion language:

I move to deny the petition based on conservation concerns, but, based on social needs direct the Department to include this petitions recommendation in the upcoming North of Falcon public process and delegate the decision to the Director for implementation March 1, 2020.

Is there a "second"?

If so, then motion maker discusses basis for motion; other Commissioners discuss views on motion; amendments, if any, proposed and addressed

Post decision communications plan:

Communicate the outcome of the Commission Decision to the petitioners and other commenters.

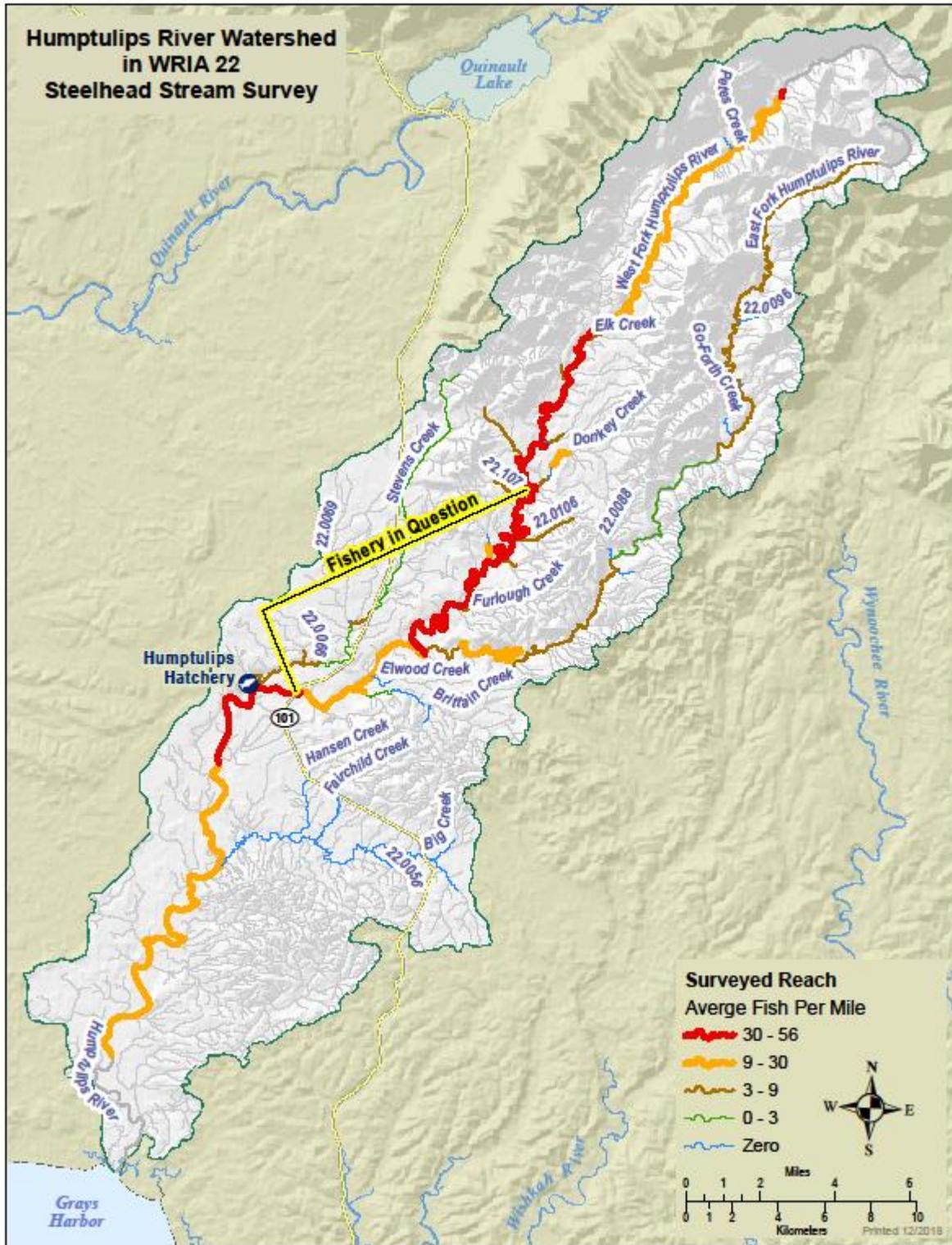


Figure 1. Map of Humptulips watershed and the River Section in question, from the Hwy 101 to confluence with the West and East Forks, and the mouth of the West Fork to Donkey Creek.

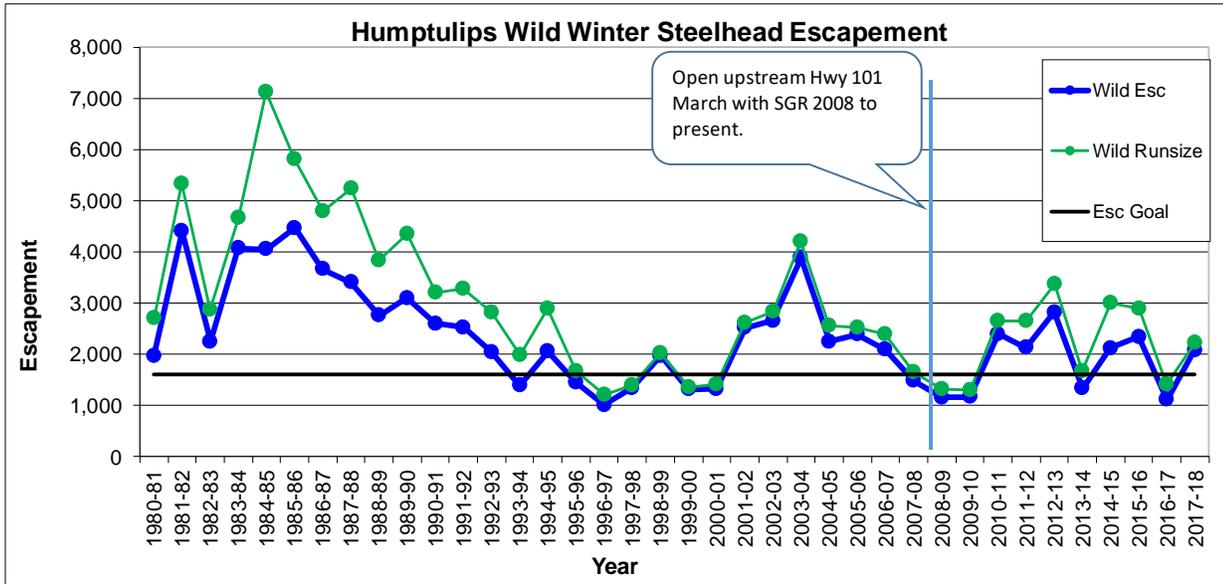


Figure 2. Escapement and runsize history. The runsize includes both escapement and harvest (both treaty and non-treaty).